

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00176

R.J. Reynolds Tobacco Company et al.,
Plaintiffs,

v.


United States Food and Drug Administration et al.,
Defendants.

ORDER

Before the court is plaintiffs' second motion to extend postponement of the challenged rule's effective date. Doc. 86. On May 8, 2020, the court granted the parties' joint motion to postpone the rule for 120 days, from June 18, 2021, to October 16, 2021. Doc. 33 at 2. The court subsequently granted a 90-day extension of the stay on December 2, 2020. Doc. 80. The court based its extension on the "equitable reasons given in plaintiffs' motion" and "the reasons stated in the court's [May 8, 2020] order . . . postponing the effective date of the challenged rule." *Id.*

The court **orders** the defendants to file a response by **March 2, 2021 at 12:00 p.m.** Because the parties have already thoroughly briefed the issuance of a preliminary injunction, defendants should provide only any new information that would counsel against the extension requested by plaintiffs.

So ordered by the court on March 1, 2021.



J. CAMPBELL BARKER
United States District Judge